

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

REBECCA WEST,

Plaintiff,

Case No. 14-cv-10121
Hon. Matthew F. Leitman

v.

CITY OF GARDEN CITY, et al.,

Defendants.

/

**ORDER (1) GRANTING DEFENDANTS' MOTION TO BIFURCATE
DISCOVERY AND ALLOW DEFENDANTS TO FILE TWO MOTIONS FOR
SUMMARY JUDGMENT (ECF #30), AND (2) ESTABLISHING DISCOVERY
AND SUMMARY JUDGMENT MOTION DEADLINES**

In this action, Plaintiff Rebecca West ("Plaintiff") alleges that she was sexually assaulted by certain members of the Garden City Policy Department in 1990 and 1991. (See the Complaint, ECF #1 at ¶¶5-15.) Defendants state that they intend to raise the applicable statutes of limitations as defenses to Plaintiff's claims. (See the "Motion," ECF #30 at 3, Pg. ID 187.) Defendants have now moved to bifurcate discovery, with an initial discovery period limited to the issue of the statute of limitations and a subsequent discovery period on all other issues. (See *id.* at 2-5, Pg. ID 186-89.) Defendants have also moved for permission to file two motions for summary judgment: one motion at the close of the first phase of discovery that would be limited to the issue of the statutes of limitations, and if necessary, another motion

at the close of the second phase of discovery on all other issues. (*See id.* at 5-6, Pg. ID 189-90.) Plaintiff opposes Defendants' requests. (*See* ECF #31.)

Having considered the parties' written submissions, the Court finds that judicial economy would be enhanced by bifurcating discovery and permitting Defendants to file two summary judgment motions. Accordingly, **IT IS HEREBY ORDERED** that Defendants' Motion (ECF #30) is **GRANTED**.

IT IS HEREBY ORDERED that the parties shall complete an initial phase of discovery – limited solely to issues related to the application of the statutes of limitations to Plaintiff's claims – by no later than **April 13, 2015**. Defendants may file a motion for summary judgment – limited solely to their statutes of limitations defense – by no later than **May 4, 2015**. If Defendants file a motion for summary judgment by May 4, 2015, Plaintiff shall respond by no later than **May 26, 2015**. Defendants may file a reply by no later than **June 2, 2015**.

If necessary, the Court will permit Plaintiff and Defendants to (1) conduct a second phase of discovery involving all issues other than the statutes of limitations, and (2) submit summary judgment motions on those issues. The Court will issue a scheduling order governing the second phase of discovery, if necessary.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: January 12, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 12, 2015, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(313) 234-5113